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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 137]

भोपाल, मंगलवार, दिनांक 9 मार्च 2021—फाल्गुन 18, शक 1942

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 9 मार्च 2021

क्र. 3693-138-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में मध्यप्रदेश राज्य पिछड़ा वर्ग आयोग (संशोधन) विधेयक, 2021 (क्रमांक 15 सन् 2021) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
आर. पी. गुप्ता, अवर सचिव.

MADHYA PRADESH BILL

No. 15 OF 2021

THE MADHYA PRADESH RAJYA PICHHADA VARG AYOG (SANSHODHAN) VIDHEYAK, 2021

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MADHYA PRADESH BILL

No. 15 OF 2021

THE MADHYA PRADESH RAJYA PICHHADA VARG AYOG (SANSHODHAN)
VIDHEYAK, 2021**An Bill further to amend the Madhya Pradesh Rajya Pichhada Varg Ayog Adhiniyam, 1995.**

Be it enacted by the Madhya Pradesh Legislature in the seventy-second year of the Republic of India as follows:—

Short title. 1. This Act may be called the Madhya Pradesh Rajya Pichhada Varg Ayog (Sanshodhan) Adhiniyam, 2021.

Amendment of Section 2. 2. For clause (d) of Section 2 of the Madhya Pradesh Rajya Pichhada Varg Ayog Adhiniyam, 1995 (No. 26 of 1995) (hereinafter referred to as the principal Act), the following clause shall be substituted, namely :—

“(d) “Member” means a Member of the Commission and shall include the Chairperson and Vice-Chairperson.”.

Amendment of Section 3. 3. For sub-section (2) of section 3 of the principal Act, the following sub-sections shall be substituted, namely :—

“(2) The commission shall consist of the following.—

- (a) five non-official members appointed amongst the persons who have knowledge of the matters relating to backward classes and are known to have worked for their cause;
- (b) one of the members shall be appointed as the Chair-person and another member shall be appointed as the Vice-chairperson of the Commission;
- (c) the Chair-person and at least two other member shall be persons belonging to the backward classes and also at least one of the member shall be appointed amongst women;”.

Amendment of Section 9. 4. In Section 9 of the principal Act,—

(i) for clause (a) of sub-section (1), the following clause shall be substituted, namely :—

“(a) to act as watch-dog commission for the protection afforded to the members of the backward classes under the Constitution and under any law for the time being in force and to inquire into complaints with respect to the deprivation of rights and safeguards of the backward classes;”;

(ii) for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) State Government shall consult the Commission on all major policy matters affecting the backward classes.”.

Repeal and saving. 5. (1) The Madhya Pradesh Rajya Pichhada Varg Ayog (Sanshodhan) Adhyadesh, 2021 (No. 10 of 2021) is hereby repealed.

(2) Notwithstanding the repeal of the said Ordinance, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

The National Backward Classes Commission for Socially and Educationally Backward Classes has been constituted by inserting article 338(b) in the Constitution of India by the 102nd Amendment Act, 2018. The State Backward Classes Commission has been restructured on the basis of National Commission for Backward Classes by the decision of the Council of Ministers dated, 29th September, 2020 and Order No. F 6-3-2020-54-1 dated 29th September, 2020 has been issued by the Department of Backward Classes and Minorities Welfare.

2. On the basis of Ministry of Social Justice and Empowerment, Government of India Notification No. Sa. Ka. Ni. 800(A) dated, 23rd August, 2018, National Commission for Backward Classes, Chairpersons Vice-chairpersons and Members (Conditions of Service and Tenure) Rules, 2018. The State Government is making effort to the Madhya Pradesh State Backward Classes Commission versatile and increase the participation of backward classes representatives in the Commission. For the purpose of enhancing and effective functions of the State Backward Classes Commission, function to inquire into complaints with respect to the deprivation of rights and safeguards of the backward classes is being added in the Act. For enhancing welfare of the backward classes, the State Government shall consult the Commission on all major policy matters affecting the backward classes. Therefore suitable amendments are proposed in the Madhya Pradesh State Backward Classes Commission, Act, 1995.

3. As the matter was urgent and the legislative Assembly was not in session, the Madhya Pradesh Rajya Pichhada Varg Ayog (Sanshodhan) Adhyadesh, 2021 (No. 10 of 2021) was promulgated for the purpose. It is now proposed to replace the said ordinance by an Act of the State Legislature without any modification.

4. Hence this Bill.

Bhopal
Dated the 1st March, 2021

RAMKHELAWAN PATEL
Member-in-charge.